



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 29, 1999

### **H.R. 2280** **Veterans Benefits Improvement Act of 1999**

*As ordered reported by the House Committee on Veterans' Affairs on June 23, 1999*

#### **SUMMARY**

The Veterans Benefits Improvement Act of 1999 contains provisions that would affect a wide range of veterans' programs, including disability compensation, dependency and indemnity compensation (DIC), housing, and the American Battle Monuments Commission (ABMC). CBO estimates that enacting the bill would increase direct spending by about \$1 million in 2000 and \$9 million over the 2000-2004 period. Because the bill would affect direct spending, pay-as-you-go procedures would apply. In addition, the bill would raise the costs of certain discretionary programs by about \$16 million in 2000 and \$178 million over the 2000-2004 period, assuming appropriation of the necessary amounts. H.R. 2280 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of the bill is shown in Table 1. The costs of this legislation fall within budget function 700 (veterans affairs).

#### **BASIS OF ESTIMATE**

##### **Direct Spending**

The bill would affect direct spending in memorial affairs and veterans' programs for readjustment benefits, housing, pension, and disability compensation (see Table 2).

TABLE 1. BUDGETARY IMPACT OF H.R. 2280, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON VETERANS' AFFAIRS

	By Fiscal Year, in Millions of Dollars					
	1999	2000	2001	2002	2003	2004
<b>DIRECT SPENDING</b>						
Proposed Changes						
Estimated Budget Authority	0	66	3	6	-6	-5
Estimated Outlays	0	1	3	16	-6	-5
<b>SPENDING SUBJECT TO APPROPRIATION</b>						
Proposed Changes						
Estimated Authorization Level	0	16	16	29	26	91
Estimated Outlays	0	2	14	19	24	45

**Home Loan Benefits.** The bill would extend expiring provisions in the veterans home loan program and extend home loan benefits for reservists.

*Expiring Provisions.* Section 501(a) would extend the authority of the Department of Veterans Affairs (VA) to guarantee the real estate mortgage conduits (REMICs) that are used to market vendee loans. Vendee loans are issued to the buyers of properties that VA acquires through foreclosures. VA then sells these loans on the secondary mortgage market by using REMICs. By guaranteeing the certificates issued on a pool of loans, VA obtains a better price but also assumes some risk. Because recent experience indicates that this provision increases receipts by about 0.3 percent of sales, CBO estimates that this provision would save about \$5 million a year. Without this authority, VA could market vendee loans under other provisions of law. Nevertheless, this provision would permit VA to realize a better price for a package of vendee loans than if it used a REMIC program of the Government National Mortgage Association.

Under section 501(b) VA would be required to consider the losses it might incur when selling a property acquired through foreclosure. Without this extension, VA would follow a formula defined in statute to decide whether to acquire the property or pay off the loan guarantee instead. The formula employs an appraised value that does not account for changes in market conditions that may occur while VA prepares to dispose of the property. Section 501(b) would require VA to take account of losses from changes in housing prices that the

appraisal does not capture. Losses of this type might be prevalent when housing prices are particularly volatile or if appraisals were biased for other reasons. Assuming this provision applies to approximately 2,000 homes a year, CBO estimates it would save \$5 million a year.

*Loans to Reservists.* Section 301 would permanently extend home loan benefits for reservists. Under current law, these benefits expire on September 30, 2003. In recent years, the VA has guaranteed between 8,000 and 10,000 loans a year for reservists, and the average loan amount has been roughly \$100,000. Based on this experience, CBO estimates that the VA would issue about 9,000 loan guarantees each year. At an estimated subsidy rate of 0.1 percent, these guarantees would result in additional outlays of about \$1 million annually over the 2004-2009 period.

**Pension Benefits.** Section 501(c) would extend beyond 2002 the authority of VA to acquire information on income reported to the Internal Revenue Service (IRS). Together with a related provision in the tax code, which is not set to expire until the end of fiscal year 2003, this authority allows VA to verify income reported by recipients of veterans' pension benefits. This estimate is based on VA's recent experience, which shows that income verification saves about \$3 million for each cohort of veterans. CBO estimates that VA would achieve savings of \$3 million in 2003 as a new cohort of veterans becomes subject to income verification. CBO assumes that after 2003 new cohorts of veterans would not become subject to income verification without extending the provision of the tax code that allows the IRS to provide VA with information about reported incomes. Thus, CBO's estimates of savings to VA in the 2004-2009 period stem only from the estimated payments that would have been made to the initial cohort of veterans and not from new cohorts of veterans becoming subject to income verification each year. CBO estimates that savings to VA under this provision would decrease to about \$1 million by 2009.

**Disability Compensation.** The bill would provide disability benefits for certain radiation-exposed veterans and spouses of former prisoners of war.

*Radiation-Exposed Veterans.* Section 101 would add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans. The bill would thereby add to the number of radiation-exposed veterans who are eligible for disability compensation or whose spouses are eligible for DIC.

Data from the Defense Special Weapons Agency (DSWA), formerly the Defense Nuclear Agency, indicate that approximately 210,000 military, civilian, and contract personnel employed by the Department of Defense (DoD) participated in atmospheric nuclear tests. In addition, approximately 200,000 DoD personnel participated in the post-war occupation of Hiroshima and Nagasaki, Japan. CBO estimates that about 200,000 of these veterans are alive today.

TABLE 2. ESTIMATED CHANGES IN DIRECT SPENDING UNDER H.R. 2280 AS ORDERED REPORTED  
(By fiscal year, outlays in millions of dollars)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>HOME LOAN BENEFITS</b>											
Spending Under Current Law	176	135	117	107	289	293	278	280	280	283	287
Proposed Changes											
Expiring Provisions	0	0	0	0	-10	-10	-10	-10	-10	-10	-10
Loans to Reservists	0	0	0	0	0	1	1	1	1	1	1
Subtotal	0	0	0	0	-10	-9	-9	-9	-9	-9	-9
Spending Under H.R. 2280	176	135	117	107	279	284	269	271	271	274	278
<b>PENSION BENEFITS</b>											
Spending Under Current Law	3,055	3,098	3,113	3,077	3,073	3,079	3,365	3,152	2,947	3,287	3,382
Proposed Changes											
Expiring Provisions	0	0	0	0	-3	-3	-2	-2	-2	-1	-1
Spending Under H.R. 2280	3,055	3,098	3,113	3,077	3,070	3,076	3,363	3,150	2,945	3,286	3,381
<b>DISABILITY COMPENSATION</b>											
Spending Under Current Law	17,968	18,761	19,495	20,113	20,645	21,152	23,469	22,266	20,954	23,353	23,945
Proposed Changes											
Radiation-Exposed Veterans	0	1	2	4	4	4	5	5	5	5	5
Spouses of Former POWs	0	a	1	2	3	3	4	5	6	7	8
Subtotal	0	1	3	6	7	7	9	10	11	12	13
Spending Under H.R. 2280	17,968	18,762	19,498	20,119	20,652	21,159	23,478	22,276	20,965	23,365	23,958
<b>AMERICAN BATTLE MONUMENTS COMMISSION</b>											
Spending Under Current Law	13	11	7	6	85	13	5	1	1	0	0
Proposed Changes											
Borrowing Authority	0	0	0	10	0	0	0	0	0	0	0
Spending Under H.R. 2280	13	11	7	16	85	13	5	1	1	0	0
<b>TOTAL PROPOSED CHANGES</b>											
Estimated Outlays <sup>a</sup>	0	1	3	16	-6	-5	-2	-1	0	2	3

a. Less than \$500,000.

Because specific information on bronchiolo-alveolar carcinoma, a relatively uncommon form of lung cancer, is not available, CBO estimates its incidence as a fraction of the incidence of lung cancer. To estimate the number of potentially eligible veterans, CBO used age-specific incidence and mortality rates from the National Cancer Institute (NCI). Based on this analysis, CBO estimates that nearly 3,500 veterans and about 8,000 deceased veterans with surviving spouses were exposed to radiation and were stricken with lung cancer. The estimate assumes that approximately 21,000 of these veterans died from lung cancer during the 1945-1999 period, that two-thirds of the deceased veterans had spouses, and that 20 percent of those spouses remarried, making them ineligible for DIC.

Information from NCI indicates that bronchiolo-alveolar carcinoma accounts for about 2 percent to 10 percent of lung cancer cases. It is more common in women and is the most frequent type seen in nonsmokers, although it appears in smokers as well. Because few radiation-exposed veterans are women, it is unlikely that bronchiolo-alveolar carcinoma accounts for 10 percent of all lung cancer cases in this population. CBO assumes that approximately 4 percent of estimated lung cancer cases and deaths among radiation-exposed veterans can be attributed to bronchiolo-alveolar carcinoma. Based on this analysis, CBO estimates that about 35 veterans and 55 survivors would receive benefits for bronchiolo-alveolar carcinoma in 2000. By 2004 these numbers would grow to about 110 veterans and 200 survivors.

CBO estimates benefit payments based on the incidence of the disease, expected mortality rates among veterans and survivors, the number of potential beneficiaries at the start of 2000, and assumptions about annual participation. Recognizing that a small number of affected veterans and survivors may draw benefits under current law and that not all potential new beneficiaries would participate, this estimate assumes that 50 percent of all eligible survivors at the end of 1999 and 75 percent of all veterans and post-1999 survivors would participate in the program. The estimate also assumes that it would take about three years to reach the full estimated participation rate.

CBO used data from VA that was specific to lung cancer cases to calculate the average compensation payment to veterans. The average annual benefit for a veteran with lung cancer is about \$15,000. However, this benefit level also includes payments to veterans for additional disabilities. CBO assumes that the incremental compensation benefits would be \$2,000 less than this average. For DIC recipients, the estimated benefit is approximately \$11,000 annually for all survivors. This estimate also assumes that beneficiaries would receive annual cost-of-living adjustments.

CBO estimates that enacting this provision would increase direct spending by about \$1 million in 2000 and by about \$39 million over the 2000-2009 period. In addition, because beneficiaries would also be eligible for medical care from VA the provision would increase

costs of that program. CBO estimates that the costs of medical care from VA would increase by less than \$500,000 a year, assuming appropriation of the necessary amounts.

*Spouses of Former Prisoners of War.* Section 103 would authorize the payment of DIC to the surviving spouses of certain former prisoners of war (POW) who, at the time of death, have a service-connected disability rated totally disabling.

Under current law, DIC payments may be authorized for survivors of service-members or veterans who died from a disease or injury incurred or aggravated while on active duty or from a disability compensable by VA. DIC payments may also be made if the veteran's death was not the result of a service-connected disability if the veteran was continuously rated totally disabled for a period of 10 or more years immediately preceding death or the veteran was so rated for a period of at least five years from the date of military discharge.

The bill would change current law by allowing surviving spouses of former POWs to qualify for DIC benefits if the veteran had been rated as totally disabled and been diagnosed as having one of the specific presumptive diseases associated with prisoners of war. These presumptive conditions include certain nutritional deficiencies and digestive disorders, residuals of frostbite, and a number of depressive disorders. Under the bill, the surviving spouse of a former POW who was totally disabled at the time of death and had been diagnosed with at least one of these presumptive conditions would be eligible for DIC payments regardless of how long the veteran had been totally disabled.

Information from the VA indicates that approximately 1,800 former POWs receive disability compensation, have been diagnosed with one of these presumptive conditions, are totally disabled, and have a spouse. CBO uses age-specific mortality rates to estimate that about 80 of these veterans will die each year. Based on data from VA, the estimate recognizes that some of the spouses will remarry, making them ineligible for DIC benefits, that some of the spouses would already be eligible for benefits under current law, and that an increasing percentage of spouses will be eligible for benefits under current law. In addition to veterans who are already totally disabled, CBO expects that a few former POWs who now have a rating lower than 100 percent will become totally disabled in future years. Some of the spouses of those veterans would also gain eligibility to DIC as a result of the bill. Based on this analysis, CBO expects that about 30 spouses would receive benefits in 2000. By 2004 the total number of spouses receiving benefits under this proposal would increase to about 250. CBO estimates that enacting the bill would raise direct spending by less than \$500,000 in 2000 and by about \$39 million over the 2000-2009 period.

**American Battle Monuments Commission.** Title II would grant borrowing authority and expand other fund-raising authorities of the American Battle Monuments Commission (ABMC) to expedite the establishment of the World War II memorial in the District of

Columbia. CBO estimates that the bill would not have a significant budgetary impact in 2000 but that it would increase spending by about \$11 million over the 2000-2009 period.

The ABMC is responsible for maintaining and constructing U.S. monuments and memorials commemorating the achievements in battle of the armed forces. In 1993, the Congress authorized the ABMC to establish a memorial in the District of Columbia to honor members of the armed forces who served in World War II. The ABMC was granted the authority to solicit and accept private contributions for this memorial.

In addition to extending these authorities, title II would authorize the ABMC to borrow up to \$65 million from the Treasury to ensure that the groundbreaking, construction, and dedication of the memorial are completed in a timely manner. Since the initial authorization in 1993, a fund-raising campaign has raised over \$25 million in private contributions, and the location and design concept of the memorial have been approved. The Commemorative Works Act of 1986 requires the ABMC to show that it has sufficient funds before obtaining a construction permit from the Department of the Interior to complete construction of the memorial. Data from the ABMC indicates that it will not have sufficient funds available in 2000 to meet this requirement. The borrowing authority in the bill would enable the ABMC to satisfy this requirement and to break ground in 2000. Assuming enactment of the bill, the total costs of the memorial are estimated to be about \$145 million through 2005.

The budgetary impact of the bill would depend on the amount of borrowing authority the ABMC would use and when it would be repaid. Based on information from the ABMC, CBO estimates that it would borrow and spend \$10 million in 2002. The ABMC expects that contributions and other income would allow it to repay the loan plus interest in 2003 and 2004. However, there is a chance that the ABMC will be unable to raise sufficient funds from private donors, especially if the borrowing authority that the bill would provide discourages such donations. Also, construction costs could exceed the ABMC's estimates. Thus, CBO estimates that the bill would be likely to raise direct spending by \$10 million, although the actual amount could be more or less than that.

**Remarried Surviving Spouses.** Section 104 would restore eligibility for three programs to certain surviving spouses whose prior eligibility had been terminated. Prior to 1990 a surviving spouse entitled to DIC lost that benefit upon remarriage, but could have it reinstated if the remarriage ended. The Omnibus Budget Reconciliation Act of 1990 prohibited reinstating the DIC benefit. Last year, in Public Law 105-178, Congress reinstated eligibility for DIC for surviving spouses if the subsequent marriage ended. However, that law did not restore eligibility for CHAMP-VA medical coverage and certain education and housing loan benefits. H.R. 2280 would restore eligibility for those benefits.

Based on information from VA about how many of these spouses had been initially denied DIC benefits after 1990 and the rate at which they are currently being reinstated for DIC, CBO expects that about 1,500 surviving spouses would have their eligibility for DIC benefits restored in 1999. CBO expects that the number of restorations will grow to about 7,000 by 2004. CBO estimates that the bill would increase direct spending for readjustment and housing benefits by less than \$500,000 a year. In addition, the medical benefits would raise discretionary costs by less than \$500,000 a year, assuming appropriation of the necessary amounts.

**Court of Appeals for Veterans' Claims (CAVC).** The CAVC was created in 1989 to review decisions of the Board of Veterans Appeals on matters dealing with veterans' benefits. The court is composed of seven judges who are appointed for 15-year terms. Six of the seven judges originally appointed to the CAVC are still serving and are scheduled to complete their terms in 2004 or 2005.

In an effort to stagger these judges' terms, section 407 would allow as many as five judges to retire early—one per year from 1999 through 2003. To be eligible for early retirement, judges would have to be at least 55 years old, have completed 10 years of service on the court, and meet certain other requirements. Judges who retire early would face a reduction in their annuity of 10 to 15 percent.

Based on discussions with the CAVC, four judges would qualify for early retirement under the bill. CBO assumed that two judges would accept early retirement and retire in 2000 and 2002. These early retirements would increase spending on retired pay by about \$60,000 in 2000 and \$260,000 in 2004.

Under current law, judges on the CAVC can participate in a retirement program that pays benefits to their survivors. Participating judges contribute 3.5 percent of their salary towards this retirement program. Section 405 of the bill would reduce the amount that participating judges contribute from 3.5 percent to 2.2 percent. This provision would lower these judges' retirement contributions, which are considered revenues, by less than \$15,000 annually.

**Cost-of-Living Adjustment.** Section 101 would increase the amounts paid to veterans for disability compensation and to their survivors for dependency and indemnity compensation by the same cost-of-living adjustment (COLA) payable to Social Security recipients. The increase would take effect on December 1, 1999, and the results of the adjustment would be rounded to the next lower dollar. However, the COLA is assumed in the budget resolution baseline, pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act, and savings from rounding it down were achieved by the Balanced Budget Act of 1997 (Public Law 105-33). As a result, these provisions would have no budgetary effect relative



to the baseline. Relative to current law, this provision would increase spending for these programs by about \$360 million in 2000 and about \$480 million a year thereafter.

### **Spending Subject to Appropriation**

Table 3 shows estimated effects of H. R. 2280 on discretionary programs, assuming that appropriations are provided in the amount of the estimated authorizations.

**Homeless Veterans Reintegration.** Section 302 would authorize funding through fiscal year 2004 for a program to reintegrate homeless veterans. Funding for the program totaled \$3 million in fiscal year 1999. This section would authorize appropriations of \$10 million for fiscal year 2000, \$15 million for 2001, \$20 million for 2002, \$25 million for 2003, and \$30 million for 2004. CBO estimates that outlays would follow historical spending patterns, assuming appropriation of the authorized amounts.

**National Cemeteries.** Section 211 would direct the Secretary of Veterans' Affairs to establish four more national cemeteries for veterans. CBO estimates that implementing the bill would cost about \$6 million in 2000 and about \$74 million over the 2000-2004 period, assuming appropriation of the necessary amounts. The funding for constructing the cemeteries would probably be provided in VA's account for major construction.

Based on information from the National Cemetery System, CBO estimates that the planning and construction of four national cemeteries would raise spending subject to appropriations by about \$74 million over the 2000-2004 period, assuming appropriation of the necessary sums. In 2000, costs of about \$6 million would stem from environmental impact studies and land acquisition for the four cemeteries. CBO estimates that the design and planning of the cemeteries, which would take about 2 years to complete, would cost about \$8 million. The estimate assumes that construction would begin in the fifth year and would take about 3 years to complete. Depending on the size of the cemeteries, costs would range from about \$40 million to \$80 million to construct the four cemeteries. CBO estimates that construction would cost about \$60 million and require funding in 2004.

**Quality Assurance Program.** Section 502 would require the VA to establish an on-going quality assurance program in the Veterans Benefits Administration (VBA) and would require the Secretary to provide an annual report about the number of reviews of benefit decisions, the findings of those reviews, and the actions undertaken to improve the quality of services. VBA currently assesses claims processing and service delivery for disability compensation

TABLE 3. ESTIMATED CHANGES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 2280, AS ORDERED REPORTED (By fiscal year, in millions of dollars)

	1999	2000	2001	2002	2003	2004
<b>HOMELESS VETERANS REINTEGRATION</b>						
Spending Under Current Law						
Authorization Level <sup>a</sup>	3	0	0	0	0	0
Estimated Outlays	2	3	1	0	0	0
Proposed Changes						
Estimated Authorization Level	0	10	15	20	25	30
Estimated Outlays	0	1	8	14	19	24
Spending Under H.R. 2280						
Estimated Authorization Level <sup>a</sup>	3	10	15	20	25	30
Estimated Outlays	2	4	9	14	19	24
<b>NATIONAL CEMETERIES</b>						
Spending Under Current Law						
Estimated Authorization Level <sup>a</sup>	142	0	0	0	0	0
Estimated Outlays	255	244	194	131	80	52
Proposed Changes						
Estimated Authorization Level	0	6	0	8	0	60
Estimated Outlays	0	1	5	4	4	20
Spending Under H.R. 2280						
Estimated Authorization Level <sup>a</sup>	142	6	0	8	0	60
Estimated Outlays	255	245	199	135	84	72
<b>GENERAL OPERATING EXPENSES</b>						
Spending Under Current Law <sup>b</sup>						
Estimated Authorization Level <sup>a</sup>	883	883	883	883	883	883
Estimated Outlays	874	883	883	883	883	883
Proposed Changes						
Estimated Authorization Level	0	c	1	1	1	1
Estimated Outlays	0	c	1	1	1	1
Spending Under H.R. 2280 <sup>b</sup>						
Estimated Authorization Level <sup>a</sup>	883	883	884	884	884	884
Estimated Outlays	874	883	884	884	884	884
<b>TOTAL PROPOSED CHANGES</b>						
Estimated Authorization Level	0	16	16	29	26	91
Estimated Outlays	0	2	14	19	24	45

a. The figure shown for 1999 is the amount appropriated for that year.

b. The estimate assumes that funding under current law will remain at the level appropriated for 1999 without adjustment for inflation. If funding over the 2000-2004 period is adjusted for inflation, the base amounts would increase by about \$30 million annually, but the proposed changes would remain as shown.

c. Less than \$500,000.

and pension benefits under the Systematic Technical Accuracy Review initiative. More limited efforts are also underway to assess the accuracy of claims processing in other areas, such as education and vocational rehabilitation benefits. If current quality assurance efforts are deemed to be satisfactory, little or no additional resources may be necessary under the bill. Enactment of the bill, however, could suggest that it would require a better and more extensive quality assurance program than under current law.

The costs of implementing the bill would range from about \$300,000 a year if VA hires only a few additional full-time employees to about \$1 million a year if closer to 10 full-time employees are hired. Based on information from VA, CBO estimates that the bill would cost less than \$500,000 in 2000 and \$500,000 to \$1 million a year thereafter, assuming appropriation of the necessary amounts.

**Other Provisions.** Other provisions would have little or no impact on spending subject to appropriation.

*Study of National Cemeteries.* Section 212 would require VA to enter into a contract with a qualified organization to conduct a study of national cemeteries. The study would assess needed repairs at national cemeteries, the number of additional cemeteries needed, and improvements in burial benefits. The report would be submitted to the Secretary within a year of the initial agreement. CBO estimates that section 212 would increase spending by less than \$500,000 in 2000 subject to the necessary appropriations.

*Court of Appeals for Veterans' Claims.* Section 402 would allow the chief judge of the Court of Appeals for Veterans' Claims to recall retired judges to active duty on a temporary basis as the court's workload requires. This provision could result in increased administrative expenses, but the amount of any increases should be insignificant.

## **PAY-AS-YOU-GO CONSIDERATIONS**

Section 252 of the Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in outlays and governmental receipts that are subject to pay-as-you-go procedures are shown in the following table. For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

	By Fiscal Year, in Millions of Dollars										
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Changes in outlays	0	1	3	16	-6	-5	-2	-1	0	2	3
Changes in receipts					Not applicable						

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS AND THE PRIVATE SECTOR**

H.R. 2208 contains no intergovernmental or private-sector mandates as defined in UMRA. Section 211 of the bill which would establish four national cemeteries could impose costs on local governments (in the form of lost tax revenues) if private lands were to be put to this public use. Because sites for these cemeteries have not been chosen, CBO has no basis for estimating the cost, if any, to the local governments that could be affected. Other provisions of the bill would impose no costs on state, local, or tribal governments.

## **PREVIOUS CBO ESTIMATE**

On May 26, 1999, CBO prepared an estimate for H.R. 1603 as introduced on April 28, 1999. Section 301 of H.R. 2280 and H.R. 1603 are identical and the estimated costs are the same.

## **ESTIMATE PREPARED BY:**

Federal Costs:

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Homeless Veterans' Reintegration Program: Christi Hawley Sadoti

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